

Application Number 	Application/Control No. 10/627,920	Applicant(s)/Patent under Reexamination GUSTAVSSON ET AL.
Document Code - DISQ	Internal Document – DO NOT MAIL	

TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : 9/15/05	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Janice Ford
10/461393



PTO/SB/25 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TERMINAL DISCLAIMER TO OBLIVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)

28089-S85-DIV (003301-072)

In re Application of: Nils Ove Gustavson, et al.

Application No.: 10/827,920

Filed: July 28, 2003

For: PHARMACEUTICALLY ACCEPTABLE STARCH

The owner, Jacotec AG, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/841,393, filed on June 16, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. _____

John Simmoins S. Halbeisen 14 Sept. 2005
Signature Date
John SIMMOINS, Susanne HALBEISEN
Typed or printed name

+41 61 467 5555
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/88 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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09/19/2005 MBIZIMES 00000078 10627920

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SEP 15 2005

Attorney Docket No. 28069-585-DIV

(Formerly: 003301-072)

PTO/SB/88 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Nils Ove Gustavsson, et al.Application No./Patent No.: 10/627,920 Filed/Issue Date: July 28, 2003Entitled: **PHARMACEUTICALLY ACCEPTABLE STARCH**Jagotec AG
(Name of Assignee)a Swiss company

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest
The extent (by percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

Nils Ove Gustavsson, Monica Jonsson

1. From: Per Berden, Timo Laakso and Mats Reslow To: Bioglan AB

The document was recorded in the United States Patent and Trademark Office at Reel 012402, Frame 0312, or for which a copy thereof is attached.

2. From: Bioglan AB To: Jagotec AG

The document was recorded in the United States Patent and Trademark Office at Reel 013788, Frame 0414, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

14 Sept. 2005

Signature

John SIMMONS, Susanne HALBEISEN

Date

+41 61 467 5555

Telephone Number

Printed or Typed Name

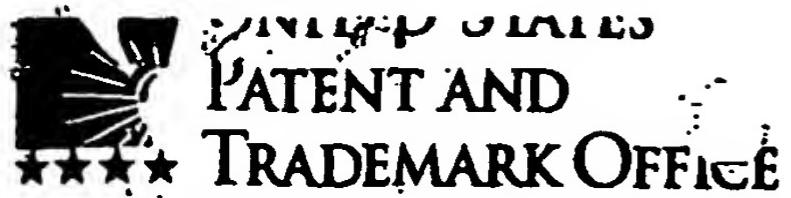
Directors

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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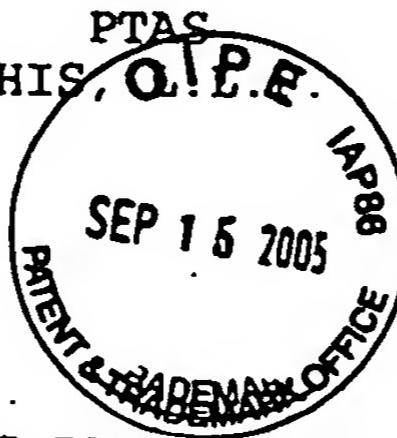


(Formerly: 003301-072)

JULY 31, 2003

BURNS, DOANE, SWECKER & MATHIS,
BENTON S. DUFFETT, JR.
P.O. BOX 1404
ALEXANDRIA, VA 22313-1404

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

CORRECTED
NOTICE

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS
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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/27/2003

REEL/FRAME: 013796/0414

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

BIOGLAN AB

DOC DATE: 05/13/2002

ASSIGNOR:

JAGOTEC AG
EPINGERSTRASSE 51
CH-4132 MUTENZ, SWITZERLAND

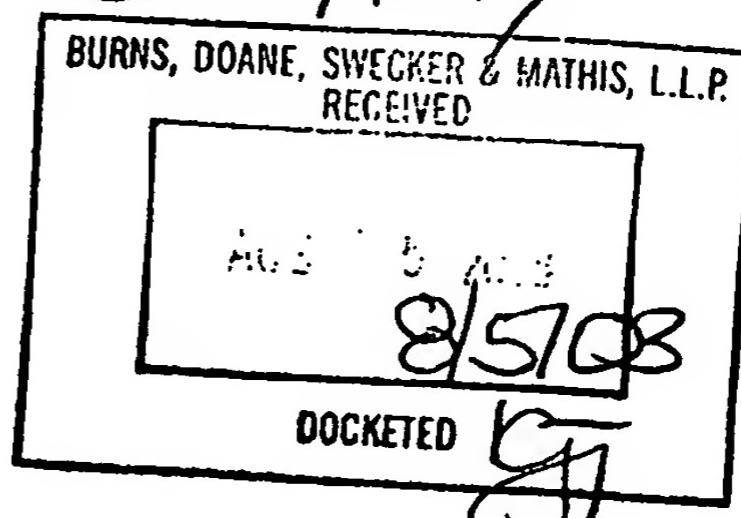
SERIAL NUMBER: 09970648

FILING DATE: 10/05/2001

PATENT NUMBER:

ISSUE DATE:

SEDLEY PYNE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



FEB 27 2003

RF

03-04-2003

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

ET



102379886

Attorney's Docket No. 003300-830

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

BIOGLAN AB

2.27.03

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment
 Security Agreement

Merger
 Change of Name

Other: _____

Execution Date: May 13, 2002

2. Name and address of receiving party(ies):

Name: Jagotec AG

Address: Eptingerstrasse 51

CH-4132 Muttenz

Switzerland

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/970,648

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Benton S. Duffett, Jr.

Address: BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404

Alexandria, Virginia 22313-1404

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR § 3.41): \$ 40.00

 Enclosed Authorized to be charged to deposit account, if necessary

8. Deposit account number:

02-4800

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Benton S. Duffett, Jr.
Name of Person Signing

Signature

February 27, 2003
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

03/03/2003 ECOPPER 00000183 09970648

01 FC:8021

40.00 DP



Patent
Attorney's Docket No. 003300-830

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

NILS OVE GUSTAVSSON et al.

Application No.: 09/970,648 SEP 15 2005

Filed: October 5, 2001

For: PHARMACEUTICALLY ACCEPTABLE
STARCH

) MAIL STOP ASSIGNMENT
RECORDATION SERVICES
)
) Group Art Unit: 1617
)
Examiner: Shengjun Wang
) Confirmation No.: 2033
)

**REQUEST FOR CORRECTED NOTICE OF
RECORDATION OF ASSIGNMENT DOCUMENT**

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Upon review of the Notice of Recordation of Assignment Document in connection with the above-identified application, the undersigned has noted the following error on the part of the U.S. Patent and Trademark Office:

The Assignee is misspelled. It should be: JAGOTEC AG.

A copy of the original Notice of Recordation of Assignment Document is attached hereto. It is respectfully requested that the above correction be made and that a corrected Notice of Recordation of Assignment Document be issued.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 23, 2003
By: Benton S. Duffett, Jr.
Benton S. Duffett, Jr.
Registration No. 22,030

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

ASSIGNMENT

WHEREAS, BIOGLAN AB, a corporation of Sweden, is the owner by means of an Assignment recorded in the United States Patent and Trademark Office on December 27, 2001 at Reel 012402, Frame 0312 of the entire right, title and interest for the territory of the United States of America in and to the invention of United States Patent Application No. 09/970,648, filed October 5, 2001 entitled "PHARMACEUTICALLY ACCEPTABLE STARCH" by Nils Ove Gustavsson, Monica Jönsson, Per Berdén, Timo Laakso, and Mats Reslow preparatory to obtaining Letters Patent of the United States; and

WHEREAS, Jagotec AG, a Swiss company having a postal address at Eptingerstrasse 51, CH-4132 Muttenz, Switzerland, is desirous of acquiring the entire right, title and interest in and to the said invention for the territory of the United States of America;

NOW, THEREFORE, in consideration of the sum of One Dollar (1.00) paid by Jagotec AB to BIOGLAN AB and other good and valuable consideration, the receipt of which is hereby acknowledged, BIOGLAN AB effective May 13, 2002 has sold, assigned and transferred and by these presents does hereby assign and transfer unto the said Jagotec AB the entire right, title and interest in and to the said invention for the territory of the United States of America including United States Patent Application No. 09/970,648, filed October 5, 2001, and any Letters Patent, divisions, continuations, reissues, and extensions thereof, all said rights to be held and enjoyed by Jagotec AB for its own use and enjoyment and for the use and enjoyment of its successors and assigns to the full end of the term or

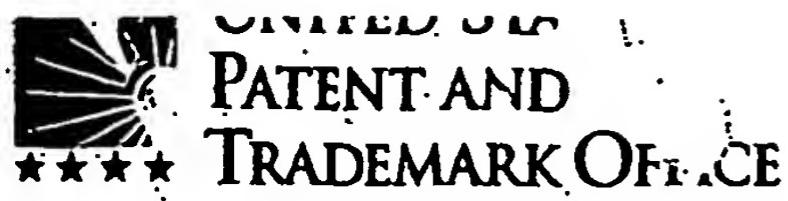
terms for which Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by BIOGLAN AB if this assignment, transfer and sale not be made.

BIOGLAN AB

Date: 13th of May, 2002

By:

Totte Malmstrom
Name: TOTTE MALMSTROM
Title: HAN. DIR.

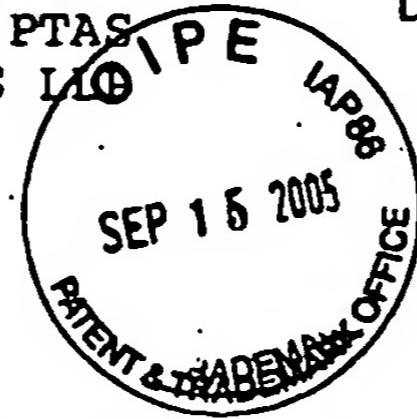


Attorney Docket No. 28069-585-DIV

(Formerly: 003301-072)

FEBRUARY 20, 2002

BURNS, DOANE, SWECKER & MATHIS L.L.P.
BENTON S. DUFFETT JR
POBOX 1404
ALEXANDRIA, VA 22313-1404



Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
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101930883A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
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REFERENCED BELOW.

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INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/27/2001

REEL/FRAME: 012402/0312
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GUSTAVSSON, NILS OVE

DOC DATE: 10/15/2001

ASSIGNOR:

JONSSON, MONICA

DOC DATE: 10/17/2001

ASSIGNOR:

BERDEN, PER

DOC DATE: 10/26/2001

ASSIGNOR:

LAAKSO, TIMO

DOC DATE: 10/26/2001

ASSIGNOR:

RESLOW, MATS

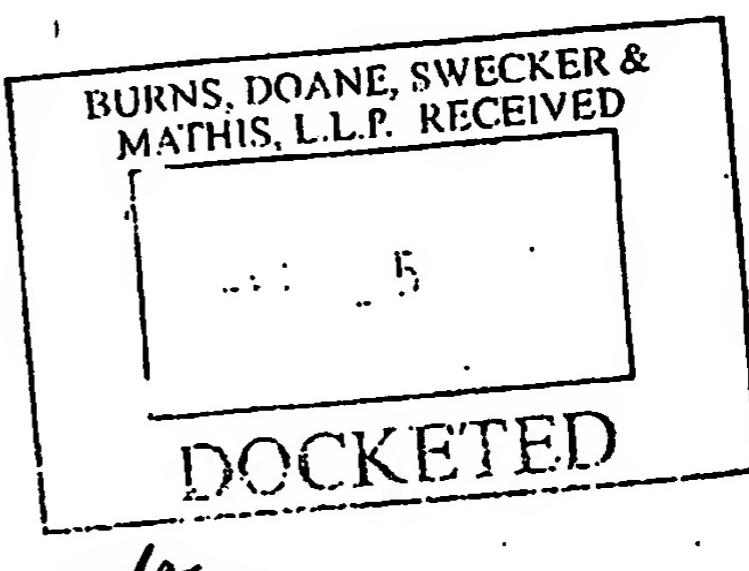
DOC DATE: 10/26/2001

ASSIGNEE:

BIOGLAN AB
PO BOX 50310
202 13 MALMO, SWEDEN

AwaPatent
003300-830
850

FEB 27 2002
FEB 27 2002



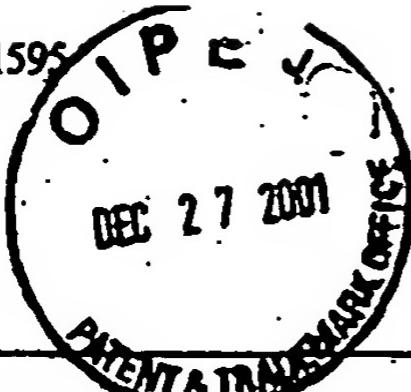
mda
2/26

012402/0312 PAGE 2

SERIAL NUMBER: 09970648
PATENT NUMBER:

FILING DATE: 10/05/2001
ISSUE DATE:

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



REC

U1-U5-2002



101930883

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

T 12-2201

Attorney's Docket No. 003300-830

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

NILS OVE GUSTAVSSON, MONICA JÖNSSON,
PER BERDÉN, TIMO LAAKSO, MATS RESLOWAdditional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

 Assignment Security Agreement Merger Change of Name

Other: _____

Execution Date: October 15, 17 and 26, 2001

2. Name and address of receiving party(ies):

Name: BIOGLAN AB

Address: P.O. Box 50310

202 13 Malmö

SWEDEN

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/970,648

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Benton S. Duffett, Jr.

Address: BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404

Alexandria, Virginia 22313-1404

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR § 3.41): \$ 40.00

 Enclosed Authorized to be charged to deposit account, if necessary

8. Deposit account number:

02-4800

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Benton S. Duffett, Jr.
Name of Person Signing

Signature

December 27, 2001
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
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Washington, D.C. 20231

01/02/2002 DBYRNE 00000021 09970648

40.00 DP

01 FC:581

ASSIGNMENT

(JOINT)

THIS ASSIGNMENT, by NILS OVE GUSTAVSSON, MONICA JÖNSSON, PER BERDÉN, TIMO LAAKSO, and MATS RESLOW, residing at Löddeköpinge, Sweden; Bara, Sweden; Malmö, Sweden; Campton, Bedfordshire, Great Britain; and Lund, Sweden (hereinafter referred to as "the Assignors"), respectively, witnesseth:

WHEREAS, the Assignors have invented certain new and useful improvements in PHARMACEUTICALLY ACCEPTABLE STARCH set forth in an application for Letters Patent of the United States,

- (1) which is a provisional application
 - (a) to be filed herewith; or
 - (b) bearing Application No. _____, and filed on _____; or
- (2) which is a non-provisional application
 - (a) having an oath or declaration executed on even date herewith prior to filing of application;
 - (b) bearing Application No. 09/970,648, and filed on OCTOBER 5, 2001; or
 - (c) to be filed; and _____

WHEREAS, BIOGLAN AB, a corporation duly organized under and pursuant to the laws of Sweden and having its principal place of business at P.O. Box 50310, 202 13 Malmö, Sweden (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignors had this sale and assignment not been made;

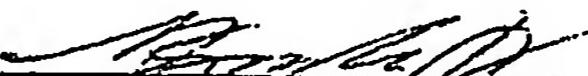
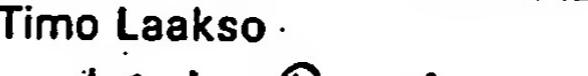
AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

Application No.
Attorney's Docket No. 003300-830

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby authorize and request the attorneys of BURNS, DOANE, SWECKER & MATHIS, L.L.P. of Alexandria, Virginia to insert in the spaces provided above the filing date, application number, and attorney docket number of said application when known.

AND the Assignors hereby request the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date <u>2001-10-17</u>	Signature of Assignor	 Nils Ove Gustavsson
Date <u>2001-10-15</u>	Signature of Assignor	 Monica Jansson
Date <u>2001-10-26</u>	Signature of Assignor	 Per Berdén
Date <u>2001-10-17</u>	Signature of Assignor	 Timo Laakso
Date <u>2001-10-17</u>	Signature of Assignor	 Mats Reslow